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LAW OFFICES OF ALBERT S. MICHALIK, PLLC
704 - 228TH AVENUE NE
SUITE 193
SAMMAMISH, WA 98074

MAILED

JUN 12 2009

OFFICE OF PETITIONS

In re Application of :
Amit et al. :
Application Number: 09/733522 :
Filing Date: 12/08/2000 : ON PETITION
Attorney Docket Number: 2210 :

This is a decision on the paper filed on April 28, 2009, which is treated as a petition under 37 CFR 1.137(b).¹

The petition is GRANTED.

This application became abandoned on December 4, 2008, for failure to timely submit a reply to the non-final Office action mailed on September 3, 2008, which set a three (3) month

¹ Effective December 1, 1997, the provisions of 37 CFR 1.137(b) now provide that where the delay in reply was unintentional, a petition may be filed to revive an abandoned application or a lapsed patent pursuant to 37 CFR 1.137(b). A grantable petition filed under the provisions of 37 CFR 1.137(b) must be accompanied by:

(1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In a nonprovisional application filed on or after June 8, 1995, and abandoned for failure to prosecute, the required reply may also be met by the filing of a request for continued examination in compliance with § 1.114. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof. In an application abandoned for failure to pay the publication fee, the required reply must include payment of the publication fee.

(2) the petition fee as set forth in 37 CFR 1.17(m);

(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Director may required additional information where there is a question whether the delay was unintentional; and

(4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c)).

shortened statutory period for reply. No extensions of the time for reply in accordance with 37 CFR 1.136(a) were obtained. Notice of Abandonment was mailed on March 17, 2009.

Receipt of the amendment filed on April 28, 2009 is acknowledged.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply.² The three (3)-month extension request filed on April 28, 2009, was submitted more than three (3) months after the end of the period for reply to the non-final Office action mailed on September 3, 2008, and therefore is unnecessary. The extension of time fee paid on April 28, 2009, will be refunded to counsel.

Receipt of the revocation and power of attorney filed on March 19, 2009 is acknowledged. All future correspondence will be mailed to the new address of record. The address in the petition is different than the correspondence address. A courtesy copy of this decision will be mailed to the address in the petition. All future correspondence, however, will be mailed solely to the address of record.

The application is referred to Technology Center Art Unit 3627 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3231.



Douglas I. Wood
Senior Petitions Attorney
Office of Petitions

Encl: Notice Regarding Change of Power of Attorney
Notice of Acceptance of Power of Attorney

Cc: RICHARD C. IRVING
10480 LITTLE PATUXENT PARKWAY
SUITE 400
COLUMBIA MD 21044

² See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988).



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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/733,522	12/08/2000	Neta J. Amit	2210

LAW OFFICES OF ALBERT S. MICHALIK, PLLC
704 - 228TH AVENUE NE
SUITE 193
SAMMAMISH,, WA 98074

CONFIRMATION NO. 1989
POWER OF ATTORNEY NOTICE



OC000000036427961

Date Mailed: 06/12/2009

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 03/19/2009.

- The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

/diwood/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



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09/733,522	12/08/2000	Neta J. Amit	2210

69316
MICROSOFT CORPORATION
ONE MICROSOFT WAY
REDMOND, WA 98052

CONFIRMATION NO. 1989
POA ACCEPTANCE LETTER



Date Mailed: 06/12/2009

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 03/19/2009.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/diwood/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101